

Elayna J. Youchah, Bar No. 5837
youchahe@jacksonlewis.com

Lisa A. McClane, Bar No. 10139
lisa.mcclane@jacksonlewis.com

JACKSON LEWIS LLP

3960 Howard Hughes Parkway, Suite 450

Las Vegas, Nevada 89169

Tel: (702) 921-2460

Fax: (702) 921-2461

Attorneys for Defendant

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

EDDIE D. WILSON,

Plaintiff,

v.

REPUBLIC SERVICES, INC.,

Defendant.

Case No. 10-cv-01156-KJD-LRL

**DEFENDANT REPUBLIC SERVICES
INC.'S EMERGENCY MOTION TO
EXTEND TIME TO ANSWER OR
OTHERWISE RESPOND TO PLAINTIFF'S
COMPLAINT**

(First Request)

Pursuant to LR 6-1, Defendant Republic Services, Inc., ("Defendant") submits the following Emergency Motion to Extend Time to Answer or Otherwise Respond to Plaintiff Eddie Wilson's ("Plaintiff") Complaint. This motion is submitted and based on the following:

1. That this is the first request for an extension of time for Defendant to file its answer or otherwise respond to Plaintiff's Complaint.

2. That Defendant's response to Plaintiff's Complaint is currently due on Tuesday, February 8, 2011.

3. That Defendant's counsel was recently retained on this matter and is currently gathering information necessary to respond to Plaintiff's Complaint.

1 4. That Plaintiff is proceeding in this matter pro se. On February 1, 2011,
2 Defendant's counsel contacted Plaintiff via telephone and requested a brief extension of time,
3 until Tuesday, February 22, 2011, within which to respond to his Complaint. However, Plaintiff
4 was uncertain whether he wanted to agree to allow any extension and said he would contact
5 Plaintiff by 10:00 a.m., the following day with his decision.

6 5. Plaintiff did not contact Defendant's counsel as he promised. Furthermore,
7 Plaintiff did not answer his phone when Defendant's counsel attempted to reach him on February
8 2, 2011 to determine if he reached a decision.

9 6. Accordingly, Defendant respectfully requests the Court to enter an order extending
10 the time within which Defendant can answer or otherwise respond to Plaintiff's Complaint to and
11 including Tuesday, February 22, 2011.

12 7. That this request for an extension of time to file Defendant's answer or otherwise
13 respond to Plaintiff's Complaint is made in good faith and not for the purpose of delay.

14 Dated this 2nd day of February, 2011.

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16 JACKSON LEWIS LLP

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18
19 /s/ Elayna J. Youchah
20 Elayna J. Youchah, Bar # 5837
21 Lisa A. McClane, Bar #10139
22 3960 Howard Hughes Parkway, Ste. 450
23 Las Vegas, Nevada 89169

24 *Attorneys for Defendant*

25 **IT IS SO ORDERED.**

26 

27 **UNITED STATES MAGISTRATE JUDGE**
28 **DATED: 2-4-11**

CERTIFICATE OF SERVICE

Pursuant to Special Order #109, counsel of record registered for the CM/ECF system have been served with the foregoing **DEFENDANT REPUBLIC SERVICES INC.'S EMERGENCY MOTION TO EXTEND TIME TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT** by electronic means. In addition, pursuant to Fed. R. Civ. P. 5(b), I hereby certify that the service of the same was made this day by depositing a true copy of the same for mailing at Las Vegas, Nevada, addressed to:

Eddie D. Wilson
6556 Wilma Avenue
Apt. No. 201
Las Vegas, Nevada 89108

Plaintiff

/s/ Emily Santiago
Employee of Jackson Lewis